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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

KENNEDY XIONG,	)	Civil No. 1:21-cv-01782-EPG
	)	
Plaintiff,	)	ORDER RE: STIPULATION TO EXTEND
	)	BRIEFING SCHEDULE
v.	)	
	)	
KILOLO KIJAKAZI,	)	(ECF No. 15).
Acting Commissioner of Social Security,	)	
	)	
Defendant.	)	
	)	

The parties stipulate through counsel that Defendant, the Acting Commissioner of Social Security (the “Commissioner”), shall have an extension of 30 days to respond to Plaintiff’s Opening Brief in this case. In support of this request, the Commissioner respectfully states as follows:

1. The Commissioner’s response to Plaintiff’s Opening Brief is due November 14, 2022. This is the Commissioner’s first request of an extension of this deadline.

2. Counsel for the Commissioner is in the process of consulting with his client about the defensibility of this case. Counsel for the Commissioner believes that this short extension may resolve this matter without necessitating this Court to address the merits of this matter. Moreover, this brief

1 extension would conserve judicial time and resources should the Parties be able to resolve this matter.

2 3. Counsel for the Commissioner has consulted with Plaintiff's counsel who advised that he  
3 has no objections.

4 4. This request is made in good faith and is not intended to delay the proceedings in this  
5 matter.

6 WHEREFORE, Defendant requests until December 14, 2022, respond to Plaintiff's Opening  
7 Brief.

8  
9 Date: November 8, 2022

PEÑA & BROMBERG, PLC

10 By: /s/ Caspar Chan for Jonathan Pena\*

11 JONATHAN PENA

\*Authorized by email on November 8, 2022

12 Attorneys for Plaintiff

13 Date: November 8, 2022

PHILIP A. TALBERT

14 United States Attorney

Eastern District of California

15 By: /s/ Caspar Chan

16 CASPAR CHAN

17 Special Assistant United States Attorney

Attorneys for Defendant  
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**ORDER**

Based on the parties' stipulation (ECF No. 15), IT IS HEREBY ORDERED that Defendant shall file a response to Plaintiff's opening brief by December 14, 2022.

IT IS SO ORDERED.

Dated: **November 8, 2022**

/s/ Eric P. Grogan  
UNITED STATES MAGISTRATE JUDGE